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37 C.F.R. 1.8

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Date

Juanita A. Rangel  
Signature

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Penner, Greg A.

Bledig, Stefan A.

Conner, Timothy W.

Vergel C. Concibido (added herewith)

Serial No.: 10 / 071,272

Filed: February 8, 2002

For: Identification of Seeds or Plants Using  
Phenotypic Markers

Group Art Unit: 1638

Examiner: To be assigned

Atty. Dkt. No.: 11898.0021.NPUS00  
(MOBS:021)

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JAN 06 2003  
TECH CENTER 1600/2900

STATEMENT IN COMPLIANCE WITH 37 C.F.R. 1.48(a)(2)

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The inventorship error for failing to include Vergel C. Concibido as an inventor of the above captioned patent application occurred without any deceptive intent on the part of Vergel C. Concibido.

By: Vergel C. Concibido  
Name: Vergel C. Concibido  
Date: 12/07/02



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**REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.48(a)(1), Applicant respectfully requests that the inventorship in the above captioned patent application be corrected. Currently, Greg A. Penner, Stefan A. Bledig, and Timothy W. Conner are listed as joint inventors. Recently, it has been determined that, through error and without deceptive intent, the inventorship previously set forth is incorrect. The correct inventorship is Greg A. Penner and Stefan A. Bledig and Timothy W. Conner and Vergil C. Concibido as joint inventors. In support of this request, for corrected inventorship, the following documents are included herewith:

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- 1) A statement from Vergel C. Concibido in accordance with 37 C.F.R. §1.48(a)(2)
- 2) An inventors' declaration by the actual inventors (*i.e.* Greg. A. Penner, Stefan A. Bledig, Timothy W. Conner, and Vergel C. Concibido).
- 3) Written consent, to correct the inventorship, from Monsanto Technology LLC (the assignee of Vergel C. Concibido) prepared in compliance with 37 C.F.R. §3.73(b)) with attached copy of assignment.
- 4) Correspondence Address, Election Under 37 C.F.R. §§3.71 and 3.73, And Power of Attorney

In accordance with 37 C.F.R. §§1.48(a)(4) and 1.17(i), the Commissioner is authorized to charge the fee of **\$130.00** to Deposit Account No. 01-2508/11898.0021.NPUS00 which is the processing fee required for a request to correct inventorship (**A duplicate copy of this request is enclosed herewith**). Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/**11898.0021.NPUS00**.

Respectfully submitted,



Patricia Kammerer  
Reg. No. 29,775  
Attorney for Assignee  
MONSANTO TECHNOLOGY LLC

HOWREY SIMON ARNOLD & WHITE, LLP  
750 Bering Drive  
Houston, Texas 77057-2198  
(713) 787-1400

Date: December 24, 2002